

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Cr. Action No. 06-116M-MPT
	:	
DENNIS D. CARSON	:	
	:	
Defendant.	:	

**ORDER**

At Wilmington, Delaware, this **31<sup>ST</sup>** day of **October, 2006**.

Defendant, Dennis D. Carson appeared before the Court on Tuesday, October 31, 2006 for a detention hearing on charges under 18 USC § 875(b) and (c), which indictment involved two charges for extortion containing a threat to injure the person of another. As a result of the October 26, 2006 interview with United States Probation Officer Frank Kurzeknabe, in which defendant related that he heard voices in his head telling him to hurt people and he had been previously diagnosed with a mental illness, possibly paranoid schizophrenia, in addition to filing a motion for detention, the government also filed a motion for competency evaluation. This motion was not opposed by defendant or his counsel. It was confirmed that defense counsel discussed this matter with defendant and that defendant was aware of his rights regarding such an examination request made by the government. The Court is also aware that in the past defendant was treated with medication for mental health issues and has been treated

for psychiatric conditions and has been committed to the Delaware State Hospital. As a result, the Court ordered a competency hearing occur pursuant to 18 U.S.C. § 4241.

The Court finds that there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or mental defect rendering him incompetent and unable to properly assist in his defense. A study is necessary to assist the Court in determining the competency of the defendant.

The Court finds that there is a compelling reason for the study to be conducted by the Bureau of Prisons.

IT IS HEREBY ORDERED this **31<sup>st</sup>** day of **October, 2006**, pursuant to 18 U.S.C. §§ 4241 and 4247(b), that Dennis D. Carson shall forthwith be committed to the custody of the U. S. Bureau of Prisons for placement at a suitable federal facility for a term of thirty (30) days for the purpose of having a complete and thorough medical study to include a physical, psychiatric, psychological and/or neurological examination of the defendant to aid in the determination of the competency of defendant. The thirty day period shall begin to run only when the study is initiated at the federal facility. **The Court recommends** that the study, evaluation and treatment, if any, begin within a reasonable period of time and occur, if possible, at the federal medical facility in Springfield, Missouri, or Butner, North Carolina, or Devens, Massachusetts.

IT IS FURTHER ORDERED that a psychiatric or medical report be prepared by the physician/examiner and that report be filed with the Court **within seven (7) days** after the end of his commitment period. IT IS FURTHER ORDERED that a psychiatric or medical study report shall include the follow:


1. Mr. Carson's history and present symptoms.

2. A description of the psychiatric, psychological, neurological, and medical tests that were employed, and their results, to properly inform the Court if Mr. Carson is experiencing a psychiatric, psychological, neurological and/or medical problem.

3. The examiner's findings of all present symptoms.

4. The examiner's opinions as to diagnosis, prognosis, and appropriate correctional treatment, including medications and therapy.

5. Whether Mr. Carson is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense.



The Honorable Mary Pat Thyne  
U. S. Magistrate Judge